

Karen Warren

From: Christopher Madiou <chris@madioulaw.com>
Sent: Friday, July 12, 2024 12:30 PM
To: Karen Warren
Cc: Budlow, Paul (USAMD)
Subject: Status Report in U.S. v. Stavrakis, ELH-19-160

CAUTION - EXTERNAL:

Dear Judge Hollander,

The parties submit this update on Mr. Stavrakis' motion for compassionate release. Mr. Stavrakis received a PET scan on June 18th at FMC Butner and has begun chemotherapy and radiation treatments--chemotherapy once on Monday and radiation five days a week. His administrative request for compassionate release was denied, however, that denial came prior to him receiving a PET scan. Since the PET scan, AUSA Budlow has provided defense counsel with medical records from FMC Butner on a rolling basis. However, records from the PET scan itself, and any BOP analysis from the medical team of the PET scan results and what it revealed in terms of a prognosis was not included either. At this moment, it is unclear what Mr. Stavrakis' exact diagnosis and prognosis is (Mr. Stavrakis has not been informed, for instance, if he has an "end-of-life" prognosis) although he is being treated, as described above. AUSA Budlow has followed up with BOP to request the PET scan records, and BOP analysis, and has informed counsel that he will provide whatever records he receives from BOP on a rolling basis. Those records are expected but have not yet been provided by BOP.

Defense counsel, through the C.J.A., has engaged an expert through the Medical Justice Alliance (MJA), a non-profit group of doctors nationwide who evaluate medical records, and provide affidavits for inmates and their counsel. Prior to defense counsel sending Mr. Stavrakis' records to the MJA, we require a complete set of records including the missing PET scan records and BOP analysis. MJA has informed undersigned counsel that they can assign a doctor to the case once they receive the records. After MJA receives the records, they will review them, analyze them and provide a written declaration to counsel outlining their findings and recommendations. This declaration will feature prominently in defense counsel's supplemental motion and will inform both the analysis of "extraordinary and compelling reasons for release" as well as the sentencing factors of 18 U.S.C. 3553(a).

The parties are working diligently and cooperatively through this process and respectfully request that an additional status update be provided to the Court by August 9, 2024.

Respectfully submitted,

Chris Madiou

Approved.
7/12/24
Next Status Report
Due 8/9/24
Ellen Hollander/kw

Counsel for Demetrios Stavrakis

On Fri, Jun 21, 2024 at 2:54 PM Budlow, Paul (USAMD) <Paul.Budlow@usdoj.gov> wrote:

Hi Karen:

Judge Hollander asked for a status report in US v. Stavrakis by today. Mr. Madiou has been in regular communication with Mr. Stavrakis' family and learned that he had the PET scan this past Tuesday. The next step is for the BOP to evaluate the results of the PET scan and provide a diagnosis and course of treatment. We also expect that the BOP will evaluate Mr. Stavrakis' request for compassionate release in light of this information. Finally, Mr. Madiou is arranging for a medical professional to review the results of the PET scan as well. The parties request to file another status report in three weeks, by July 12, 2024. Please let me know if you have any questions.

Paul

Paul E. Budlow

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